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7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11
12 In re NVIDIA CORP. DERIVATIVE
LITIGATION

Master File No. C-06-06110-SBA (JCS)

13 STIPULATION AND [PROPOSED] ORDER
REGARDING HEARING DATE

14 This Document Relates To:

15 ALL ACTIONS.
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1 This Stipulation is entered into by and among lead plaintiffs, the Nominal Defendant
2 NVIDIA Corp. ("NVIDIA"), and the individuals named as defendants in this action, through their
3 attorneys of record.

4 WHEREAS, on December 22, 2008 the Court entered an Order [Docket No. 164]
5 vacating the January 27, 2009 preliminary approval hearing;

6 WHEREAS, the December 22, 2008 Order also scheduled a hearing regarding final
7 approval of the parties' settlement for January 27, 2009;

8 WHEREAS, pursuant to the Stipulation and Agreement of Settlement of Derivative
9 Litigation [Docket No. 157] NVIDIA will provide a joint Notice of Pendency and Settlement of
10 Shareholder Derivative Actions ("Notice") informing shareholders of both the instant settlement
11 and the settlement pending approval before the Delaware Court of Chancery;

12 WHEREAS, the Delaware Court of Chancery has not yet issued an order approving the
13 proposed joint Notice and therefore Notice has not been sent;

14 WHEREAS, the January 27, 2009 hearing date therefore will not provide sufficient time
15 for NVIDIA to provide notice to its shareholders.

16 WHEREFORE, IT IS STIPULATED AND AGREED that:

17 1. The hearing regarding final approval of the parties' settlement agreement will be
18 re-scheduled from January 27, 2009 to March 17, 2009.

19 DATED: January 7, 2009

Respectfully Submitted,

20 ORRICK, HERRINGTON & SUTCLIFFE LLP
21 MICHAEL D. TORPEY
22 JAMES N. KRAMER
RICHARD GALLAGHER
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23 s/ James E. Thompson

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DATED: January 7, 2009

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Attorneys for Lead Plaintiffs

I, James E. Thompson, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Settlement. In compliance with General Order 45, X.B., I hereby attest that Stephanie Byerly has concurred in this filing.

DATED: January 7, 2009

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s/ Stephanie Byerly
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STIPULATION AND [PROPOSED] ORDER
REGARDING HEARING DATE C-06-06110-SBA

* * *

[PROPOSED] ORDER

Based on the stipulation of the signed parties, and good cause appearing, IT IS HEREBY ORDERED that:

1. The hearing regarding final approval of the parties' settlement agreement will be re-scheduled from January 27, 2009 to March 17, 2009.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE
SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE